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U.S. DISTRICT COURT
DISTRICT OF UTAH

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International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Defendant/Counterclaim-Plaintiff.

~~PROPOSED~~
**ORDER GRANTING IBM'S EX PARTE
MOTION FOR LEAVE TO FILE
OVERLENGTH SUR-REPLY
MEMORANDUM IN FURTHER
OPPOSITION TO SCO'S MOTION FOR
LEAVE TO FILE A THIRD AMENDED
COMPLAINT**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

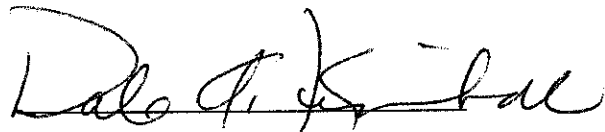
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Based upon Defendant/Counterclaim-Plaintiff International Business Machines Corporation's ("IBM") Ex Parte Motion for Leave to File Overlength Sur-Reply in Further Opposition to SCO's Motion for Leave to File a Third Amended Complaint, and for good cause appearing thereon,

IT IS HEREBY ORDERED that IBM may file its overlength Sur-Reply in Further Opposition to SCO's Motion for Leave to File a Third Amended Complaint, not to exceed fourteen pages of argument.

DATED this 22^d day of February, 2005.

BY THE COURT

A handwritten signature in black ink, appearing to read "Dale G. K. [unclear]", is written over a horizontal line.

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of February, 2005 a true and correct copy of the was sent by U.S. Mail, postage prepaid, to the following:

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United States District Court
for the
District of Utah
February 23, 2005

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Re: 2:03-cv-00294

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